

Law Enforcement News

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Effectiveness times three

Increasingly popular OC spray helps subdue unruly suspects, while reducing injuries and complaints about use of force

Anyone who has ever chopped a chili pepper and then unwittingly rubbed the eyes knows the fierce, burning agony that is the price of such an ill-advised action. The same sensation, magnified many times, is becoming increasingly familiar to unruly suspects who are subdued by police using a concentrated pepper-based spray.

Oleoresin capsicum, or OC, is winning over legions of law enforcement officers and agencies, who credit the spray with reducing injuries to officers and suspects, decreasing the number of excessive-force complaints, and helping to keep use-of-force liability claims against police officers to a minimum. As important, the spray fills what had been a gaping hole in the continuum of use-of-force options available to police, before the extreme measures of the blunt force of a baton and the deadly force of the gun.

At least two police departments in the Northeast — in New Britain, Conn., and Portland, Maine — have recently analyzed their use of OC spray, giving it excellent marks as a means of subduing violent suspects and keeping them from injuring officers and themselves.

More studies are afoot. The International Association of Chiefs of Police, in concert with the Baltimore County, Md., Police Department, will compare the effectiveness of OC with two other chemical agents, CS and

CN, more commonly known as tear gas. The study, funded in part by the National Institute of Justice, will begin in July, according to John Granfield, the former Fairfax County, Va., police chief who will serve as project manager.

"OC has become immensely popular in just a short period of time," Granfield told LEN. "Even though there's been quite a bit of extensive

OC. Actual training of officers will begin in September, said Hanson.

"I don't want to say it's the magic snake oil or the wonder elixir, but it's close," said Ed Nowicki, the former director of the American Society of Law Enforcement Trainers who now heads the law enforcement training program at the Milwaukee Area Technical College. Nowicki, who has conducted OC training for police depart-

comes in varying strengths of 1 percent, 5 percent or 10 percent. Regardless of the percentage, it causes excruciating — though short-term and harmless — effects. When sprayed in the face of a subject, it inflames the mucous membranes of the eyes, nose and mouth, causing a severe burning sensation. It can also partially constrict the throat.

The substance packs a wallop, according to an internal affairs sergeant in Portland who recently wrote a report on the agency's use of OC.

"If somebody had said it was acid and that it was actually eating the skin off of my face, I'd believe them," said Sgt. Russell J. Gauvin, a 12-year veteran who, like other members of the 141-officer agency, had OC sprayed on them so they could get a firsthand feel for the substance's effects.

The severest effects last about 20 minutes, Gauvin told LEN. "What is absolutely amazing is that in about an hour, the effects are almost gone. Your face is burning red at first, but an hour later, the effects are essentially gone. That's a factor that's reduced [use-of-force] complaints, too, because as uncomfortable as it is, it's gone and there's no bruises, no swelling, no anything."

OC is said to have a failure rate of 5 percent or less. It is most effective when sprayed at a range of 3 to 12 feet. Unlike tear gas, it generally

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"Your face is burning red at first, but an hour later, the effects are essentially gone. As uncomfortable as it is, there's no bruises, no swelling, no anything."

field application, there really hasn't been any formal, evaluative study."

In addition, some states have begun to mandate training in the use of OC spray. Last December, the Wisconsin Law Enforcement Standards Board mandated OC training to all law enforcement officers. The training, which will include a new training guide on OC, will pave the way "for the widespread use" of the spray in Wisconsin, according to Dennis Hanson, director of the board's Training and Standards Bureau.

The program will begin this month with the training of instructors, followed by a series of regional management seminars in June that will focus on policy issues surrounding the use of

ments in several states, will soon train seven teams of instructors in Wisconsin, who in turn will instruct officers under the state's new OC training program.

"It's not the magic bullet by any stretch of the imagination," said Bruce Howard, a former training officer for the New Britain, Conn., Police Department who analyzed the agency's use of OC spray before retiring last year. "But... I have never seen anything that has impacted on the officer's safety that this stuff has. In probably close to three years, we have not had any lawsuits over the use of excessive force."

OC, which is usually sold in canisters that can be attached to gear belts, is made from cayenne pepper extract and

Rap concerts prove the right medium for police dialogue with young blacks

In the wake of last year's controversy over rapper Ice T's record "Cop Killer," which sparked nationwide protests by police over what many felt were anti-police lyrics, one might think that bringing police and young blacks together at rap concerts would be like pouring gasoline on a fire.

But in the Miami area, the music is being used to forge a closer relationship between police and black males ages 15-30, at a series of concerts dubbed "Jammin' With the Man," staged by the

Metro-Dade Police Department.

The concerts, the first of which drew nearly 5,000 spectators in March, are aimed at getting police and young black males to rid themselves of the mutual mistrust and suspicion that have historically characterized relations between the two groups, particularly in Miami, where police shootings of blacks have several times resulted in violent civil unrest in the past decade.

The events, which have so far remained unmarred by the violence that has plagued other rap concerts, feature refreshments, T-shirt and baseball cap giveaways, and raffles in which winning ticketholders receive car radios and "boom boxes."

"Jammin' With the Man" is the branchchild of Maj. Dan Flynn, the commander of the Metro-Dade Police Department's Northside Station, which includes Liberty City, the site of past violence resulting from anger over police shootings.

The concerts evolved from a survey in which police randomly canvassed young black males to pinpoint a context in which communication between the two groups might be improved.

Those surveyed were asked about their favorite radio stations and disc jockeys, most respected community leaders, and their awareness of Martin Luther King Jr.'s philosophy of non-violence.

Police found only 23 percent could name a community leader they respected, only 33 percent could relate to King's non-violent approach, and only

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What They Are Saying:

"I don't want to say it's the magic snake oil or the wonder elixir, but it's close."

— Ed Nowicki, veteran law enforcement trainer and former police chief, on the potential benefits of adding oleoresin capsicum — pepper spray — to the police arsenal. (1:4)



Officer Joe Llinas is surrounded by youngsters who are rewarded with raffle tickets if they strike up a conversation with a police officer at a "Jammin' with the Man" concert. (Courtesy: Metro-Dade PD)

Around the Nation

Northeast



DELAWARE — The state Senate has approved a bill to require that executions be carried out between 12:01 A.M. and 3 A.M., when officials say the least disruption to prison operations and security would occur.

NEW YORK — Forty-two New York City police officers who took part in a rowdy protest last fall failed to stop disciplinary hearings against them when a Federal judge rejected their request for a delay. The officers argued that the Police Department was interfering with their First Amendment rights by punishing them for expressing their opinions of Mayor David N. Dinkins. The hearings were set to begin May 17.

A Yonkers police officer and a former colleague were indicted by a Federal grand jury May 6 on charges of using unreasonable force in the arrests of three people at a party two years ago. Officer Michael Buono, 33, and retired officer Bruce Nickels, 46, were charged with beating the arrestees with nightsticks outside a restaurant.

Current policy and training provide "little practical guidance" to officers in the initial stages of hostage incidents, according to a panel appointed by New York City Police Commissioner Raymond W. Kelly shortly after a Manhattan woman was killed by police when a bank robber used her as a human shield Jan. 30. The panel said the Police Department should develop policy and training for human-shield incidents and increase the amount and frequency of tactical and firearms training.

The state's highest court ruled May 6 that New York City and other landlords are legally required to maintain at least a minimal level of security in or near buildings where crimes have occurred. The ruling by the state Court of Appeals, involving a 1988 case in which a 14-year-old girl was raped on the roof of her Manhattan housing project, reversed a lower-court ruling that had summarily rejected the girl's complaint.

Inmates who spend a year at New

York City's Rikers Island correctional facility are more than twice as likely to develop tuberculosis than those with less jail time, according to a recent study. Inmates in the study had TB rates as high as 500 per 100,000 — 10 times the rate for the city and 50 times the national rate.

An estimated \$29,000 seized from a Bronx auto dealership during a 1991 raid by members of the scandal-plagued Drug Enforcement Task Force has vanished, according to attorneys for several defendants in the case. It was the second disclosure in less than a week that money seized during the "Blue Thunder" heroin case allegedly disappeared after being confiscated by drug agents. Last month, a Federal judge declared a mistrial in the case and revealed that up to \$80,000 received by a city police detective assigned to the multiagency task force had vanished. Two other task force members are charged with stealing heroin from drug dealers and reselling it.

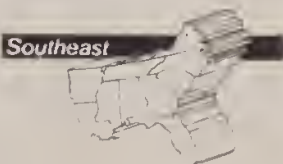
PENNSYLVANIA — A private-sector task force on management and productivity has recommended that the Police Department concentrate on community policing and abandon non-critical roles such as serving as school crossing guards and providing transportation to area hospitals. The task force, empaneled by Philadelphia Mayor Edward Rendell, also called for changes in the city charter that would allow the police commissioner to appoint all commanders above the rank of captain. Currently, the commissioner can appoint only two deputies; all other high-level appointments are governed by Civil Service rules.

RHODE ISLAND — Providence Patrolman Michael Sweeney, 27, fatally shot a motorist who had deliberately run his car into the officer several times as he directed traffic. The motorist, George Stockwell, 48, died in surgery.

The State Police will pay 38 employees a total of \$115,000 in back wages as a result of an out-of-court settlement, the U.S. Department of Labor said this month. The employees' lawsuit had accused the agency of not paying workers proper overtime or keeping accurate records.

Stephen Saccoccia, 34, was sentenced May 12 in Providence to 660 years in prison without parole for laundering Colombian drug money. He also was fined \$15.8 million and ordered to forfeit \$136.3 million.

Southeast



ARKANSAS — West Memphis police are searching for the clues in the killings of three 8-year-old boys whose battered bodies were found submerged in a drainage ditch on May 6, just a day after they disappeared while playing. Police have turned to the FBI for help in creating a profile of the killer or killers.

FLORIDA — Hundreds of police officers gathered at the state Capitol in Tallahassee to honor 15 colleagues who died in the line of duty in 1992. Gov.

Lawton Chiles told those attending a memorial ceremony that he hopes to win support for a five-year plan to build 21,000 prison beds, using a 25-cent hike in cigarette taxes, to keep violent criminals behind bars.

Authorities said this month that con artists ripped off more than 26,000 elderly Floridians last year, up 12 percent from 1991.

Officials said four of 89 convicted murderers and other criminals mistakenly released early from state prisons had been returned to jail as of early this month.

Indiana resident Donna Jean Brown, 36, who reportedly called 911 to say she had killed her two daughters, was charged this month with smothering them in a Kissimmee motel room in April, police said.

Miami Beach Police Chief Phil Huber fired at least one shot at three young men who broke into his home in the early morning hours of May 6. The youths were ransacking the home when Huber accosted and fired at them. The trio were captured a few blocks away and charged with burglary.

A man Federal agents dubbed the "U.S. ambassador" for the Cali cocaine cartel was convicted late last month of smuggling 22 tons of cocaine hidden inside shipments of fence posts and broccoli into the United States. Harold Ackerman, 51, faces 30 years to life in prison when he is sentenced July 16 on six drug convictions.

An Orlando judge has sentenced three defendants convicted under a Federal anti-carjacking law to life prison terms. Jermaine Foster, 19, Gerard Booker, 22, and Alf Catholic, 19, were convicted in the execution-style slayings of two young men and the wounding of a third last November. They now face trials on state charges stemming from the crimes, and prosecutors say they will ask for the death penalty.

Guillermo Palacios, accused of being a key figure in the delivery of nearly a ton of cocaine into the New Orleans area, was arrested this month in Miami by Federal agents.

TENNESSEE — Linda Lakins filed a lawsuit this month claiming Claiborne County sheriff's deputies violated her son's civil rights when he was arrested on delinquency charges at a restaurant. Charges against Charles Lakins, 14, were later dropped.

A Federal judge returned control of the state prison system to the state this month, citing an improvement in conditions. The order, signed May 14 by Judge Thomas A. Higgins of Federal District Court, ended Federal supervision that began in 1982. Inmates sued the state in 1981, claiming they were being subjected to unconstitutional conditions because of overcrowding and lack of medical care.

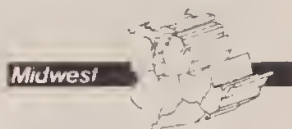
Seven white police officers accused in the February death of a black motorist, who died when a chokehold was used to restrain him, were exonerated May 11 when a Hamilton County grand jury said the arrest of Larry Powell, 39, was proper. Powell, of Dayton, was restrained while resisting arrest after

being stopped on suspicion of drunken driving in the Chattanooga suburb of Soddy-Daisy. The action came the same day a state House committee approved a bill to ban the police chokehold.

NORTH CAROLINA — Four Statesville teen-agers accused of raping a 19-year-old retarded woman and videotaping the act were arrested again this month after initial charges had been dropped because of a technicality. A judge found flaws in the wording of the original arrest warrants, which described the woman as mentally incapacitated. By law, that means the victim was unable to resist because of being drugged or injured. The new warrants describe the woman as mentally defective, a legal definition that includes retardation.

VIRGINIA — Melvin High, the second-in-command of the Washington, D.C.'s Metropolitan Police Department, was named as the new police chief in Norfolk. High, 48, will succeed Henry Henson, who retired after a 38-year policing career.

Midwest



ILLINOIS — Amanda Wallace, 27, has been charged with first-degree murder in the hanging death of her 3-year-old son. She told Chicago police that the boy was ruining her life and blamed the state Department of Children and Family Services, which had placed the child in her custody three times, for the death.

INDIANA — A man accused of killing two North Vernon police officers when he rammed his car into their cruiser committed suicide in his Plainfield jail cell, authorities said. Warnell was awaiting trial on charges stemming from the deaths of officers Anthony Burton, 29, and Lonnie Howard, 22.

MICHIGAN — A disgruntled postal worker stormed into a Dearborn post office garage May 6 and opened fire with a pistol and shotgun, killing one person and wounding two others before taking his own life. Authorities believe Larry Jason, 45, was enraged that a female co-worker got a job he had sought. Postal officials said Jason had a history of threatening co-workers.

OHIO — Cincinnati police are investigating the fatal shooting of Officer Darnell Islam Mansoor, who was killed April 20 when a .357-caliber Magnum reportedly discharged as he stood outside the home of fellow Officer Ronaldo "Jay" Underwood. Mansoor and Officer Robert Wright had just eaten brunch at Underwood's home after the three finished their shift at District 2.

Ex-University of Toledo Police Officer Jeffrey Hedge, 24, was sentenced to 33 years to life in prison this month after being convicted in the 1992 shooting death of nursing student Melissa Herstrum, 19.

Springfield police began enforcing a curfew this month that bans youths under 18 from congregating in public areas between midnight and 6 A.M.

WISCONSIN — Ladysmith Police

Officer Fred Henneken, 46, is to appear in court May 25 on charges that he ordered members of a high school wrestling team to drop their pants for a strip search after \$40 was stolen from a wallet. Seventeen of 23 wrestlers dropped charges against Henneken.

The state American Civil Liberties Union filed a lawsuit this month against four towns that have approved anti-cruising ordinances, saying the laws violate people's right to travel. The cities prohibit cars from passing an area more than twice during a two-hour period between 8 P.M. and 5 A.M., in an effort to cut down on late-night noise and vandalism.



MINNESOTA — A jury has awarded \$116,000 to Dakota County Sheriff's dispatcher Mary Stotko, who said she was ostracized by colleagues after blowing the whistle on them for smoking on the job. Stotko sued the county, saying her co-workers made her life miserable when she complained that a ban on smoking was not being enforced.

Police in South St. Paul confiscated 12,000 books from a man who is suspected of stealing them from libraries throughout the area. The books included westerns, mysteries, classics and science fiction, police said. The unidentified suspect was jailed.

MISSOURI — Gov. Mel Carnahan says he will not sign recently passed legislation that makes stalking a crime until his staff lawyers have a chance to review it. Under the measure, a first conviction could result in one year in jail, and an additional five years if threats are made.

SOUTH DAKOTA — Deadwood Mayor Bruce Oberlander will name a committee to put to rest what he terms rumors about the Police Department. The Mayor said there is no evidence of corruption or other problems, but acknowledged that police-community relations could use some improvement.



ARIZONA — Due to a lack of evidence, Phoenix police solved only about 8 percent of the more than 20,000 burglaries reported in 1992. The Arizona Republic reported this month. The clearance rate for burglary is the lowest among such major crimes as rape and homicide, which had a 64 percent clearance rate in 1992.

NEW MEXICO — Columbus officials say they will disband the town's one-man Police Department because of a lack of funds. Mayor Phoebe Watson says she will ask the Luna County Sheriff's Department to provide protection.

Bernalillo County sheriff's deputy

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Around the Nation

James Gonzalez, 25, was placed on leave as authorities investigate the death of Alfredo Rendon, 25, who was reportedly fighting with someone who had just robbed him of \$1,500 when he was shot by an off-duty sheriff's deputy May 10.

TEXAS — An Austin man was convicted May 13 of aggravated sexual assault after he claimed that his victim's request that he wear a condom constituted consensual sex. Last fall, a Travis County grand jury failed to indict part-time painter Jose Valdez, 28, in the Sept. 16 incident, an action that sparked a storm of protest from women's rights groups. The District Attorney took the case to another grand jury, which indicted Valdez in October.

Three people were taken into custody May 12 after U.S. Border agents discovered 300 pounds of marijuana in the stretcher compartment of an ambulance — complete with phony patient — that they tailed between Laredo and San Antonio.

A convicted cop killer was executed May 12 despite his pleas of innocence. Leonel Herrera, 45, was executed by lethal injection at the Huntsville correctional facility for the 1981 murder of rookie Los Fresnos police officer Enrique Carrasalez. Supporters claimed it was Herrera's brother Raul, since deceased, who killed Carrasalez just moments after murdering State Trooper David Irvine Rucker in the Rio Grande Valley.

UTAH — U.S. Representative Jim Hansen wants \$200,000 in Federal money for added security at Zion National Park, where 30 white-supremacist skinheads have declared a section of the park to be their domain. Chief Ranger Larry Van Slyke says the skinheads are more of a threat to law enforcement officers than to the public.



CALIFORNIA — A fired postal worker suspected of killing his mother and a mail carrier and wounding five others was captured May 9, three days after he allegedly went on a shooting rampage at a Dana Point post office. Mark Richard Hilburn, 38, was arrested by police who received a tip that he was having drinks at a Huntington Beach bar. The shootings occurred on the same day a Dearborn, Mich., postal worker went on a similar rampage.

A panel of district attorneys is preparing a legal challenge to a law passed last year that allows the state to seize local property tax revenues to cover state budget shortfalls. They say that budget shortages will force them to stop prosecuting many crimes and lay off prosecutors after July 1. In Los Angeles alone, up to 300,000 misdemeanors and most non-violent felonies would be dropped. "This is no trick," said San Bernardino County District Attorney Dennis Kottmeier. "We are facing a potential, total crash-and-burn of the law and justice system."

Two men thrown out of a nightclub

outside Fresno returned with semi-automatic handguns and killed seven workers and wounded two others in a hail of gunfire May 16. Police, who describe the incident as the worst multiple killing in Fresno's history, say they have some clues to the killers' identities.

A Federal judge in Sacramento ordered state officials to put HIV-infected inmates in food service jobs at the Vacaville medical facility, saying the refusal to do so violates a law banning discrimination against the disabled.

Two white Los Angeles police officers convicted last month of civil rights violations in the beating of Rodney King filed court papers May 6 seeking a new trial. Officer Laurence Powell and Sgt. Stacey Koon contend that the videotaped testimony of co-defendant Officer Theodore Briseno from their 1992 state trial should not have been shown to the jury. Briseno and former Officer Timothy Wind were acquitted.

The Associated Press reported May 11 that a San Bernardino nurse nicknamed the "Angel of Death" is under investigation in the morphine overdose deaths of 17 patients. Nurse Darlene Leon, 49, and her employer, the Visting Nurse Association of Pomona-San Bernardino, deny the allegations.

HAWAII — Thirteen full-time immigration inspectors will be added to the 125 now working at Honolulu International Airport in response to complaints by U.S. Senator Daniel A. Akaka about a planned layoff of part-time inspectors.

NEVADA — Reno Police Officer Tony Shaw, who resigned amid accusations he had contributed to the delinquency of a minor and then won his job back, will not face criminal charges because the statute of limitations has expired, officials said.

Read all about it! Paper carriers help Southern Calif. police track crime

The Carlsbad, Calif., Police Department is using local newspaper carriers as the agency's eyes and ears as they deliver newspapers to the homes of area residents, in a program known as COP, an acronym that stands for Carrier Observation Patrol.

About 60 adults and youths who deliver The North County Blade-Citizen participated in a training program sponsored by the 80-officer Police Department on April 3, where they were instructed on how to report crimes and suspicious activity and provided with tips to ensure their own safety both at work and home.

Lynn Diamond, a management analyst for the department, came up with the idea after reviewing incident report logs and noticing that in some instances, newspaper carriers were reporting crimes. "It just seemed to make so much sense. With the budget crises everyone's going through, the more help we have out there, the better," she told LEN.

Diamond said the Carlsbad Police Department is the first law enforcement agency in the nation to recruit newspaper carriers as crime watchers. "We did a little research and we couldn't find anybody else who was doing it," she said, adding that the program will

Private security gets the call

Not all officials are happy as private forces replace or supplement police in three localities

They will soon ride buses in Milwaukee County, Wis., to stem attacks on drivers. They will augment police patrols in a Chicago neighborhood where residents say street crime is on the rise and police are understaffed. And next month, they will provide protection for a New Jersey town that disbanded its four-officer police department last year after the police chief and another officer were implicated in drug-related misconduct.

"They" are private security guards who are being drafted into service by localities seeking to increase the level of protection in their towns or simply trying to save a buck in fiscally austere times. Some believe the use of private security firms will become an increasingly familiar part of the law enforcement landscape as crime rises and fiscal resources continue to shrink.

"It's definitely going to be a coming thing...a nationwide trend," said Scott Dixey, president of the Marquette Park Community Association in Chicago, which successfully petitioned the city and state to designate the area as a special service zone, allowing residents to raise a special property surtax that will be used to hire private security patrols. "People all over the country are feeling the effects of crime and they're looking at different ways of doing things to take control of their streets."

A Small Price to Pay

Dixey, an 11-year resident of the southwest Chicago neighborhood of 40,000 residents which borders one of the city's high-crime areas, said voters approved the proposal last November by a 3-1 margin. The new tax will cost most homeowners about \$50 a year, which Dixey says is a small price to pay for additional protection against crime.

Once legislation to put the proposal

in effect is signed later this month by Gov. Jim Edgar — which will allow other neighborhoods to follow Marquette Park's lead — Chicago Mayor Richard Daley would select a board of commissioners nominated by neighborhood residents. The board will set the tax rate and accept bids from private security firms. That process may take up to a year, Dixey said.

But a two-month pilot program voluntarily funded by residents last year gives an indication of how the patrols will work in Marquette Park. The guards will be armed, but will have no arrest powers. Instead, they will contact police for assistance. Dixey said he expects two-person cars to patrol the streets 8 to 16 hours a day, 7 days a week. Guards in the pilot program prevented the thefts of 17 cars one night, he added.

Dixey said residents decided to act because of encroaching street crime — assaults, purse-snatchings, break-ins and gang activity — in the largely middle-class, ethnically mixed community, and a shared feeling that the Police Department was too understaffed. "We just needed a greater presence on the street to stop some of the more opportunistic petty crimes that have been going on," he told LEN. "What we're trying to do is put a signpost up that says our neighborhood isn't going to be a victim — and this is one way to do it."

Chicago police officials declined to comment about the patrols. "We have zero to do with it," said police spokesman Officer Patrick Camden. But Dixey stressed that the patrols are not designed to replace police, just augment them. "I think the police are doing as good a job as they can. I just don't think they have the force to get the job done in our area," he said.

A Police Force Is Disbanded

As Marquette Park awaits the green light allowing them to deploy the guards, officials of the Borough of Sussex, N.J., are putting the finishing touches on a contract with a private security firm to provide three armed guards who will be on motor patrol "at any given time," according to borough clerk Denise Zuidema. The guards will not have arrest powers, but can write parking tickets and detain suspects until authorities arrive, she added.

As in Marquette Park, residents in the town of 2,500, located about 50 miles northwest of New York City, simply want "a uniformed presence to try to deter crime on the street," Zuidema told LEN.

But there is a major difference between the approach taken by the two communities because the guards in Sussex will, in effect, be taking the place of the town's four-officer Police Department, which was disbanded last

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FBI foresees a change in UCR trends

If the FBI's preliminary crime statistics for 1992 are confirmed in a final report to be released this summer, the United States should record its first decline in reported crime in nearly 10 years.

Serious crime fell by 4 percent during 1992 compared to 1991, according to preliminary Uniform Crime Reporting figures released by the FBI on April 25. The drop in the seven-offense Crime Index total is said to be the first since 1984.

The FBI said that while the rate of violent crimes — murder, forcible rape, robbery and aggravated assault — occurring in the United States remained virtually unchanged between 1991 and 1992, the number of reported property crimes decreased by an aggregate 4 percent.

All but two of the Crime Index categories showed declines, according to the preliminary figures. Murder dropped 6 percent; robbery fell by 3 percent; burglary by 6 percent; larceny-theft and motor vehicle theft, both by 4 percent, and arson declined by 2 percent. Only forcible rape and aggravated assault showed increases, each up by 2 percent.

The Northeast showed the greatest decline in crime by region with a 7-percent drop, followed by the Midwest with a 5-percent decrease, and the South, with 4 percent. The Crime Index total for the Western states showed no change. The Northeast and the Midwest also showed declines in the numbers of violent crime, which increased in the South and West. Property crime declined in all regions, the bureau said.

The FBI added that the downward trend in overall crime was evident in all major cities, grouped by population size, and in suburban and rural counties as well. The largest decline in urban areas occurred in cities with populations of over 1 million, which collectively experienced an 8-percent drop. And cities within that grouping experienced the only violent crime decrease of 6 percent, the bureau said.

Chief dies running

Tarpon Springs, Fla., Police Chief Keith Bergstrom, a former Illinois police official who was credited with turning around the 42-officer agency he took command of five years ago, died after suffering a heart attack while jogging May 1, just two weeks shy of his 55th birthday.

Bergstrom, the former chief of the Oak Park, Ill., Police Department, was described as an avid runner who was conscientious about his diet and had no previous indication of illness.

Bergstrom came to Tarpon Springs as interim chief in October 1987, and was named to head the department on a permanent basis in March 1988, despite an effort by the National Rifle Association to thwart his appointment. Bergstrom drew the ire of the powerful gun lobby when he charged a gas-station owner with illegal possession of a handgun after the man's business was robbed and he chased the suspects, firing his .45-caliber pistol at them.

Over 400 mailgrams were sent to NRA members in Tarpon Springs, asking them to help keep Bergstrom "from bringing his campaign against law-abiding gun owners" to the Pinellas County town. The NRA claimed that under Bergstrom's leadership, the Oak Park Police Department spent all of its time prosecuting the garage owner instead of looking for the robbers.

In an interview with LEN about the NRA campaign in April 1988, Bergstrom said: "I find it very ironic that the NRA in effect is criticizing me for obeying the law and being accountable to the people who make the law."

In Tarpon Springs, Bergstrom took the helm of an agency mired in turmoil. His predecessor, Carl Hernandez had been fired by city commissioners after a county grand jury reported the agency was so politicized it should be disbanded. "We were at the lowest that you could ever see a police department," recalled Warren Bell, a civilian crime scene investigator. "The Chief came in here, and he just changed this whole department around."

Officers in Tarpon Springs had nothing but praise for the popular Chief, who was credited with making improvements in the department's equipment

and training, increasing the size of the force and bringing the agency into the realm of community-oriented policing by instituting programs like "Cops and Kids," which brings officers and disadvantaged youths together in athletic events.

"I took it pretty bad," Officer Don Diaz said of the Chief's death, noting that Bergstrom had come to his home to offer personal condolences when Diaz's son was killed in a traffic accident three years ago. "He was the Chief, but he was almost like a father to many of the guys."

Bergstrom's hands-on approach to his job gained him the respect of demoralized officers, who became impressed with his willingness to join them on the street and his concern for their safety and morale. Shortly before his death, Bergstrom brought sodas and doughnuts to officers conducting a time-consuming search for drug evidence in a house, according to Sgt. Joe Ferrantelli, a detective supervisor.

Bergstrom, who was married to Mary Ann Wycoff, a researcher for the Police Foundation, was a familiar face at community meetings, and he helped neighborhoods throughout the city organize crime watches. When his contract was up for renewal in January, one of those who showed up at the commission meeting to support him was a former drug dealer, who said that his arrest helped him to turn his life around.

"He earned more respect from the citizens of this town than any chief I've ever been associated with," Det. Larry Allen, a 22-year veteran of the department, told The St. Petersburg Times. "I've been under eight chiefs. I can honestly say that Chief Bergstrom was the best of the group."

Course work

An official of the Minnesota Peace Officer Standards and Training Board was appointed last month as faculty coordinator of the new School of Law Enforcement at Metropolitan State University in St. Paul.

Tim Erickson, a 20-year veteran of the St. Paul Police Department, will be responsible for the development and implementation of the curriculum for

Making their case

U.S. drug & sentencing policies ruffle judges

Two of New York City's most prominent Federal judges last month "just said no" to drugs, disclosing that they will refuse to preside over drug-related cases as part of a protest of national drug policies and Federal sentencing guidelines.

The decisions by Judges Jack B. Weinstein of Brooklyn and Whitman Knapp of Manhattan are in response to what they have termed the failure of drug policies that emphasize arrest and imprisonment, rather than providing for more prevention and treatment programs.

Weinstein and Knapp join a growing number of Federal judges who now refuse to hear drug cases. Officials of the Federal court system estimate that about 50 of the 680 Federal judges are refusing to handle drug cases. The New York Times reported. Most of them are senior judges eligible for retirement and who have wide latitude in choosing their cases.

The two judges said they would be willing to preside over a drug case to help an overworked colleague, but they will insist that sentencing be carried out by others.

Knapp and Weinstein say they do not advocate the legalization of drugs and they offer no specific solutions to the drug problem. And while the change in administrations in Washington was not a factor in their decisions, Knapp told The Times that President Bill Clinton "has not committed himself to the war on drugs in such a way as the Republican Administration had." He added

he hoped his action might influence Clinton's anti-drug policies.

"People think they can stop the drug traffic by putting people in jail and by having terribly long sentences. But of course, it doesn't do any good," said Knapp, 82, who gained prominence in the early 1970's as head of a commission that investigated widespread corruption in the New York City Police Department.

The only real impact resulting from the get-tough approach to drug users and sellers has been exponential increases in the numbers of arrests and inmates in the last decade, the judges said. Drugs are still as available as ever before, Weinstein noted. "The penalties have been increased enormously without having any impact," he said. "It's just a futile endeavor, a waste of taxpayers' money."

Knapp said he had dropped drug cases from his docket about a year ago, but had not disclosed his action until a reporter queried him about Weinstein's decision, which he announced in a memo to colleagues last month, and again in a speech at Benjamin N. Cardozo School of Law.

Weinstein said he made his decision after being forced by sentencing guidelines to send a peasant woman from West Africa to prison for 46 months on a smuggling charge and handing down a 30-year jail sentence to a man convicted of his second drug offense. "These two cases confirm my sense of depression about much of the cruelty I have been party to in connection with the war on drugs."

Observers said the judges' refusals

to hear drug cases will have little impact on the flow of cases through the Federal courts, but their actions may carry symbolic weight that could alter the nation's anti-drug policies. "The present policy of trying to prohibit drugs through the use of criminal law is a mistake," said Federal Judge Robert W. Sweet, who supports the legalization of drugs. "It's a policy that's not working. It's not cutting down on drug use. The best way to do this is through education and treatment."

Not all are in agreement with the judges' actions. Judge Thomas P. Griesa, the chief Federal judge for the Southern District of New York, said he believes narcotics enforcement "serve a very important purpose. Even though it is far from successful in any ideal sense, it is society's way of doing the best it can to combat this deadly plague of a criminal nature. Beyond any statistical or tangible results there is a moral value in having society take a stand on this."

Robert C. Bonner, the administrator of the Drug Enforcement Administration, who is himself a former Federal district judge, told The Times he did not agree with the judges' protest, saying that Federal prosecutions play an integral role in his agency's "global strategy to incapacitate major trafficking organizations." Successful Federal prosecutions have resulted in cocaine being far less readily available in New York and other major cities than it was five years ago, he added.

the bachelor of science program in law enforcement, and for securing program accreditation through the state POST Board. He will also monitor the phasing out of previous law enforcement courses and will oversee the implementation of integrated lower- and upper-division professional core courses. Erickson will also be responsible for staffing and resources for the program.

Erickson, who was appointed as a full-time, fixed-term assistant professor through August 1995, is on a leave of absence from the POST Board, where he has served as education coordinator since 1988. Previously, Erickson also served as coordinator of Metro State's POST program.

Erickson has a bachelor of science degree in social science, along with master's degrees in social sciences and in counseling, all from the University of Wisconsin in River Falls.

A new watchdog

New York City Police Commissioner Raymond W. Kelly this month appointed a former Federal prosecutor to serve as the civilian head of the Internal Affairs Bureau, the latest in a series of actions to shore up the agency's system of rooting out corrupt police officers before the findings of a commission looking into departmental corruption are made public.

Walter S. Mack Jr. was named May 13 to the newly created post of Deputy Commissioner for Internal Affairs, reporting directly to the Police Commissioner. The new post takes overall responsibility for internal affairs away from uniformed Chief Robert Beatty, who will report to Mack beginning May 24. Kelly said Beatty "will continue to function as the department's principal internal investigator."

Kelly's action follows reports that the Mollen Commission, which was created by Mayor David N. Dinkins last year to study police corruption, is considering a proposal that would turn over the responsibility for the Internal Affairs Bureau to an outside inspector general. Kelly maintained, however, that he was unaware of what recommendations the panel might make regarding internal affairs, saying he created the new post to enhance the department's corruption-fighting capability.

"The credibility of this department rests in large measure on the integrity of officers," Kelly said. "Whether actual or perceived, if there is concern that the police cannot police themselves, that concern must be addressed."

Prior to his appointment, Mack, 49, was the first vice president at Shearson Lehman Brothers Inc. In 1990, he ended a 16-year career as an assistant U.S. Attorney in the Southern District of New York. "By accepting this job, I think the fair inference is that the Police Department can and should be able to police itself," he said.

Mack's appointment was described

by Kelly as part of the department's continuing effort to strengthen internal affairs following the scandal that erupted last year after the arrest of several New York City officers for allegedly running a cocaine ring. The scandal increased skepticism about the agency's ability to police itself and led to the appointment of the commission headed by former Deputy Mayor for Public Safety Milton Mollen.

In a report on the drug-corruption case, Kelly had recommended that a counsel be appointed to the Internal Affairs Bureau. But he said he decided to upgrade the position to deputy commissioner status after talking to several candidates for the counsel post. In recent months, Kelly has added dozens of new investigators to the bureau, has attempted to involve superior officers in the day-to-day handling of cases and has created what he terms a "culture committee" to determine why some police officers become corrupt.

"We are working on many significant changes to Internal Affairs, in my judgment," said Kelly. "But we need credibility and validation to what we are doing. Regardless, there has always been a feeling out there which people have expressed through the years that the police are unwilling to make the changes."

The new deputy commissioner, Kelly added, "will bring an outside view... hopefully validate some of the changes we have made and, of course, add his own input, his recommendations for changing the system."

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U.S. drug policy may be in for a new look

The appointment of Lee P. Brown as Director of the Office of National Drug Control Policy soon after the office's staff and budget have been cut significantly sends mixed signals to

BURDEN'S BEAT

By Ordway P. Burden

law enforcement. On the one hand, Lee Brown has a superlative reputation as a police executive after heading law enforcement agencies in Portland, Ore., Atlanta, Houston and New York. He has also served as president of the International Association of Chiefs of Police, which indicates his standing among his peers.

On the other hand, President Clinton's fiscal 1994 budget slashes funds for the drug policy office from \$17.3 million to \$5.8 million, and cuts the staff from 147 to 25. Those cuts suggest that the nation's drug problem is not high on the President's list of priorities. But to add a puzzling note, the President has said he will make his new "drug czar" a member of the Cabinet.

During the Presidential campaign last year, Clinton seemed to lean toward an increasing emphasis on education and treatment of drug addicts rather

than tougher law enforcement. However, his budget left the proportions of drug-fighting money roughly what they were under Presidents Reagan and Bush — roughly two-thirds for fighting the supply of drugs here and abroad, and one-third for education and treatment. So it's not clear where Clinton will come down on the question of adding or subtracting resources for law enforcement in the anti-drug effort.

In any event, the nomination of Lee Brown for drug czar seems an inspired choice. It was thought that Brown might get the FBI directorship if William Sessions were to be fired, and conceivably he could later take that important post. Meanwhile, he brings new credibility to the Office of National Drug Control Policy, whose mission is the somewhat nebulous one of coordinating and leading the efforts of the Federal agencies that are charged with some piece of the anti-drug action.

Where Brown will stand on the allocation of resources between supply-side and demand-side activities remains to be seen. As one of the leading lights in the law enforcement field, he might be expected to favor continuing to give the lion's share to enforcement. But Brown is believed to favor enhancing education and treatment programs.



Lee P. Brown

Putting his stamp on drug policy.

Many people working in the drug abuse field — in law enforcement as well as in education and treatment — hailed Brown's nomination. The Drug Enforcement Administration's top man in New York, Robert A. Bryden, was quoted in The New York Times as calling the choice of Brown "a great selection."

Plaintiff's attorney pulls suit alleging radar-cancer link

An attorney for a California police officer who filed a lawsuit against a radar manufacturer withdrew the suit just days before it was to go to trial, citing a lack of "sufficient scientific information" to bolster claims that long-term radar use could have caused the officer's rare form of cancer.

In a letter received by Law Enforcement News early this month, attorney James A. Thompson said that the case, which was to go to trial May 3 in Federal District Court in San Francisco, had been removed from the docket. The suit had been filed against the nation's largest radar manufacturer, Kustom Signals Inc. of Lenexa, Kan., by William McGuigan, a nine-year veteran of

the Belmont Police Department.

In 1991, McGuigan, 32, was diagnosed with a cancerous growth on his knee, where he said he often rested the radar device when not in use.

McGuigan's wife, Lucretia, who is an assistant to Thompson at the Redwood City firm of Wilhelm, Thompson, Wenthold & Gibbs, said the case was withdrawn because of conflicting information about the alleged link between the use of radar and the development of cancer.

"In order to go into court, we needed an expert — with research to back him up — who could say that radar causes cancer, and further, that it caused Bill's cancer. We could find no expert or

documentation," she told LEN.

In the letter to LEN, Thompson wrote that the decision not to pursue the lawsuit came after a "careful investigation and thorough review" of all information pertaining to the alleged radar-cancer link. Thompson wrote that the "peculiar nature" of McGuigan's cancer made it "even more difficult for an expert to say it was caused by his use of radar guns."

"The recent Senate report as well as the recent publications throughout the world have led us to believe that there is a strong body of evidence to support a conclusion that there is an increased risk of cancer due to exposure to radar guns, however, this is not the same, in a court of law, as evidence that radar guns do, in fact, cause cancer," Thompson continued.

Thompson was apparently referring to last summer's U.S. Senate subcommittee hearing on the controversy, in which police officers urged the Federal Government to undertake a study into their claims. (LEN, Sept. 15, 1992.)

Lucretia McGuigan said her husband underwent surgery to remove the cancer from inside his knee area and subsequently received radiation therapy. Doctors believe they removed all of the cancerous cells, she added, and he is back on duty. The department has since discontinued its use of radar guns.

In January, a jury rejected a California officer's claim that his rare form of cancer was caused by emissions from the radar device he used. (LEN, Feb. 14, 1993.) The verdict, a victory for Kustom Signals, which was a defendant in the lawsuit, ended the nation's first lawsuit to come to trial based on claims linking police radar to the development of cancer. Less than three weeks after the verdict, the plaintiff, Petaluma Police Officer Eric Bendure, died of non-Hodgkins lymphoma at age 34.

One thing is sure: Lee Brown will put his stamp on the Federal Government's drug-fighting efforts. He has made his mark in every police job he has held so far, and there is no reason to think he won't do the same in the Office of National Drug Control Policy. The guess here is that one of his first challenges will be to change budget priorities and perhaps fight for more resources. He may not get the President's attention, though, until the Administration's economic stimulus programs, the health insurance plan, and the question of intervention in Bosnia are brought under control.

Lee Brown is likely to face a growing tide of influential voices urging a shift away from law enforcement and toward medical and social solutions to drug abuse. In March, LEN reported that former San Jose Police Chief Joseph D. McNamara, Baltimore Mayor Kurt Schmoke, Nobel Prize-winning economist Milton Friedman, and former Secretary of State George Shultz had signed a resolution saying that society "must recognize drug use and abuse as the medical and social problems that they are and that they must be treated with medical and social solutions."

The resolution stopped short of recommending that drug use be legalized, as Mayor Schmoke and others have previously suggested. But the resolution did call for changes in drug laws "in order to reduce the harm our current policies are causing."

Brown will be the third director of

the drug-policy office. The first was William J. Bennett, who had been Secretary of Education under President Reagan. An outspoken conservative, Bennett was a steadfast supporter of law enforcement in the drug fight while pointing out that, among other things, enforcement goes hand in hand with education. For one thing, law enforcement can teach a child that crime does not always pay, he told the National Law Enforcement Council, which this writer chairs. And, he added, the police role is also important in drug treatment efforts because "most people in the drug world who need treatment don't wake up one morning and say 'I want treatment.' They're usually coerced into treatment, and law enforcement can often be the route there."

In 1991, Bennett was succeeded as drug czar by former Florida Gov. Bob Martinez. Martinez's style was low key by comparison with Bennett, and Martinez was not very visible in the waning days of the Bush Administration. Now comes Lee Brown, a mover and shaker of the police status quo who rarely raises his voice. He will nonetheless be heard.

(Ordway P. Burden is president of the Law Enforcement Assistance Foundation and chairman of the National Law Enforcement Council. He welcomes correspondence to his office at 24 Wyndham Court, Nanuet, NY 10954-3845. Seymour F. Malkin, the executive director of LEAF, assisted in the preparation of this article.)

Dade County is big on 'Jammin' with the Man'

Continued from Page 1

25 percent chose a favorite radio station. However, 62 percent said they listened to DJ's and rap groups and many of them favored local musicians.

"It was evident pretty early on that the other notions we had — such as bringing in popular black community leaders — were dispelled. So we began talking about what else we could do to reach out," Flynn told LEN.

Flynn decided that perhaps the best way to reach the target group was to hold a series of free concerts in local parks featuring the entertainers favored by survey respondents. Using about \$50,000 in funds seized from drug dealers and asking local merchants to donate prizes, the Northside District staff organized the first of 10 shows planned throughout the summer.

The concert, held March 6 at Gwen Cherry Park in Liberty City, went off without a hitch, said Flynn, who said he was stunned by the turnout. "That one was really important to us. We were all kind of holding our breath wondering whether young black men would come to an event that they clearly knew was sponsored by the Police Department."

Twelve officers, wearing uniform pants, equipment belts and specially designed "Jammin' With the Man" T-shirts, fanned out through the crowd, offering raffle tickets to any young men willing to strike up a conversation with them. They also asked what police could do to improve relations with the young people and the overwhelming response was, "Do more of this," said Flynn.

The music is the main focus of the events and no speech-making is per-

mitted. Occasionally, the music will stop to allow an announcement that tells the crowd the event is sponsored by the Police Department and that input from the audience about how to improve the lines of communication is appreciated. The groups and DJ's have readily complied with police instructions not to play or broadcast songs with inflammatory or obscene lyrics.

As the event neared its close, there were fears that the crowd might become unruly as it dispersed. But Flynn said DJ's slowed the beat, helping to mellow the crowd. "There were no problems at all. We did not want an oppressive uniformed presence. If I can get away without having a uniformed presence at the events, I will. And we haven't needed it."

Several other concerts have been held since March, not all of which have drawn as many people as the first. But Flynn said it's not the size of the crowd that is important so much as opening up a good dialogue. "I don't need every one to be a Woodstock," he said.

Officer Dante Sparks, who has participated in all four shows held thus far, told LEN he has received positive feedback from the many youths he has spoken to at the events. Sparks, who patrols housing projects near parks where the events have been held, said the concerts have helped him build a rapport with the youths he encounters on patrol and give him an opportunity to interest them in police careers.

"This is something where you can see the investment and you get a return on your money right there while it's happening," he said.

AIDS victims, disabled added to bias-crime list

The New York City Police Department will begin classifying attacks on AIDS sufferers and the disabled as bias crimes under an expanded definition of hate crimes announced this month.

The reclassification will give the crimes a higher investigative priority, comparable to that accorded crimes motivated by race, religion, ethnicity or sexual orientation, but will not result in more severe penalties for perpetrators.

"In New York, we are committed to providing protections to those whom the bullies would accost and harm," said Mayor David N. Dinkins at a joint news conference with Police Commissioner Raymond Kelly. "Think of the terrible cruelty of it. It is just inhuman to target a person... for violence because he or she is ill or disabled in some other way."

The new bias classification came in response to a request by the Gay and Lesbian Anti-Violence Project, which

said its tally of attacks against people with AIDS or those perceived to have the deadly disease increased to 166 in 1992, compared to 86 in 1991 and 26 in 1990.

"We believe it will get worse because even though people's understanding of AIDS is increasing, their fear of it is not diminishing," said Matt Foreman, the project's director.

Also included under the expanded definition will be crimes against the physically and mentally disabled, as well as recovering drug abusers and alcoholics.

Dinkins said the new classification gives New York one of the broadest definitions of bias crime in the country. Police officials said they knew of no other major cities with anti-bias language that includes as many categories as New York's. They added that 627 bias crimes were reported in the city last year, up from 543 in 1991.

At first there was a lot of skepticism, says William Celester of the reaction to his assuming command of the 1,200-member Newark Police Department in June 1991. There was skepticism for a number of reasons, not the least of which was that Celester was an outsider who was brought in from the Boston Police Department, where he had been the commander of that city's highest-crime district. But apprehensiveness was also a response to the 50-year-old Police Director's stated intention of changing things — and changing them quickly. "Within a month," he notes, "I reorganized."

The centralized department was dramatically decentralized in order to accommodate community-oriented policing — yet another reason for skepticism. Celester recalls that it was difficult to sell some of the top command staff on it. But once he shuffled the command positions, putting in those who shared the community-based philosophy, he set to work inculcating the lower ranks. "We just put on 25 new sergeants and we sent those sergeants to school for four days, just on community policing, because if they don't buy into it, then it's not going to work."

Facing organizational changes and implementing community policing would have been enough of a challenge for any new police executive, but Celester also had to deal with Newark's dubious distinction as the car-theft capital of the country. This problem was the underpinning of several incidents of deadly force that rocked the department last summer. According to Celester, the absence of any serious prosecution of car thieves — some of whom are arrested at least 17 times without serving any jail time — is complicating the Police Department's job and making for a lot of arrogant criminals. "What they are doing now is riding up behind police cars and hitting them in the back so their air bags will go off," Celester complains. "They're going up on sidewalks after walking police officers; it's a joke to them."

As one means of combating the auto-theft problem, Celester called on the private sector for help. And help they did, by donating more than \$500,000 worth of cars, cellular telephones, cameras and other equipment. With these resources Celester set up a unit that follows stolen cars, photographs the person driving the car, and notes the time and date of the incident. With this information the officers are able to obtain warrants and arrest the thief at his home. The program, called TARGET, is quickly gaining national and international attention.

Celester is no stranger to taking on difficult challenges and overcoming them. Such achievements are as much a part of his own personal story as they are of his professional background. One of four children raised by a single mother, he was a gang member at age 15, married and a father by 16, divorced and a high-school dropout with a short-term prison record for fistfighting at age 17. Then, taken under the wing of a Massachusetts State Senator, Ryal Bolling Sr., Celester began to straighten himself out, eventually taking and passing the test for patrolman in Boston. He persevered to get his high school equivalency diploma and, after 10 years of night and weekend classes, his undergraduate degree.

Celester, while knowing well the importance of sticking to a long and arduous task, clearly hit the ground running in Newark. While some new police administrators take their time in implementing change, he seems to have a clear vision of where the Newark Police Department is going, and he's not wasting any time getting there.



A LEN interview with

Director William Celester of Newark, N.J.

"The reason we're not winning the war — against gangs or drugs or anything like that — is that the government continues to sell the public that it's a police problem. They don't talk about family and prevention and treatment on demand and stuff like that."

Law Enforcement News interview
by Marie Simonetti Rosen

LEN: It's been decades since Newark last had a Police Director who was brought in from outside the department. Why do you think the city reached out this time to appoint you?

CELESTER: I think the Mayor was looking for fresh ideas, new ideas. He wanted to get into community policing. He wanted to bring the Police Department closer to the community, and he just wanted something new.

LEN: Was there any initial resentment to your appointment, as sometimes happens when an outsider is brought in?

CELESTER: Well, I think there were some people that weren't happy that I didn't come up through the ranks in the Newark Police Department. But all in all, it wasn't bad. I was accepted by most of the people.

LEN: What shape was the department in when you arrived?

CELESTER: Newark has a good Police Department; it was a good department when I arrived. I thought the direction in which it was

going had to be changed. I thought it had to be reorganized. But basically, the officers themselves were good police officers.

Outside interests

LEN: When chiefs are brought in from the outside, there are usually two schools of thought as to how they approach their first year. One approach is to make changes right away, particularly if the department has had problems in such touchy areas as corruption or use of force. Another view is to take some time and get the feel of things before implementing any changes. What was your management approach to this?

CELESTER: I wanted to move quickly. I wanted to look at the department itself, assess what needed to be done, and do it. So within a month, I reorganized it.

LEN: What did that reorganization entail?

CELESTER: Basically, I found the Newark Police Department to be centralized. Outside of patrol, every other function was centralized downtown. It just seemed that people were being put out of their way. Maybe they needed a detective and they lived in the south district; they had to come all the way downtown to talk to a detective. I thought that was wrong. I wanted each and every community to

have its own police headquarters where all services could be rendered from their district station, with no need to come downtown. I wanted the Police Department to be closer to the community it served. Basically, that's what we did. We broke up all the detective units. We broke up traffic. . . .

LIEUT. DANIEL COLLINS [an aide to Celester]: We had a centralized robbery unit; he put all of those detectives into the precincts. The biggest thing, though, is that it allowed the detectives to better service the community.

LEN: When you decentralized the department, how did the personnel take to it?

CELESTER: As you know, most police departments do not like change. There was a lot of skepticism. I got a lot of advice that it wouldn't work. There were a lot of silent feelings that I didn't know what I was doing. It was difficult trying to change the command staff that was used to doing things one way for 20-some-odd years. It was difficult to sell it to the officers on the street, and to the superior officers. But then, there were others that believed in it, so I think it was a mixed bag.

LEN: When it comes to community policing, many chiefs feel that from the top down to roughly the rank of captain, you have

"People sometimes have the wrong impression of community policing. When you talk about community policing, you're talking about more police officers. You have to address 911, but you also have to address your walking beat and other things."

everybody on board. Below that, there seems to be some difficulty, especially on the line level, where the officers can get confused about what is going on. Do you think the community policing orientation has reached all the way down to the bottom of the Newark Police Department?

CELESTER: I think the idea has; I don't think the will to do it has. First of all, it was a hard time even selling some of the members of the top command staff. If you don't sell them, then you're going to have a hard time getting under them. So I had to make some moves with the command staff and put people in command positions who believed in the philosophy that I had. Then we started working on the other ranks. We're still doing that. We're putting them through the academy all the time. With our new people coming on, we're really stressing community policing and teaching it. We just put on 25 new sergeants, and we sent those sergeants to school for four days, just on community policing, because if they don't buy into it, then it's not going to work. I find that to be true, but I also find that the upper command staff has to believe in it, or it's never going to filter down.

Going mobile

LEN: We've heard that your community policing approach also includes a van that serves as a kind of mobile precinct. . . .

CELESTER: You know, a lot of police departments go into these storefront mini-precincts. I've never been sold on that. I think what we need is a mobile precinct. So we have one van and we're buying three more. We have 12 police officers assigned to this mobile precinct, and they are all specifically trained in community policing. Wherever there's a trouble spot, we will move that mini-precinct into that spot and set up shop. Those officers will walk, they will organize the community. If there are lots that the kids are hiding their drugs in, they will contact the city and try to get the grass cut. If there's an abandoned house that they're dealing out of, they'll try to get their house boarded up. They'll set up the community, teach them how to set up a block watch group in order to eliminate the problem that is existing in that neighborhood. That's very difficult to do because once you move back out, it does move back in, but this mobile precinct has been so successful that we are buying three more.

LEN: Are officers regularly assigned to this?

CELESTER: That's their assignment. They are assigned to the mini-precinct, and they will move all over the city wherever there's trouble and set up shop.

LEN: What is the average stay for the van in a given area?

CELESTER: Maybe two or three weeks. Sometimes it's only two days. We might set up shop in one location and something big happens somewhere else — we have a captain who might call and say, "I really need you to go." The reason we're buying three more is that we have four precincts, and what we're going to do is give each precinct captain his own mobile precinct. He will be in charge of where that mobile precinct goes in his district. He'll be able to move it around, to where he thinks the need is, or where he's getting the most complaints, and it won't come from my office.

LEN: So you're giving him far more discretion than he now has?

CELESTER: Yes. And you know, people sometimes have the wrong impression of community policing. When you talk about community policing, you're talking about more police officers because you need more officers to do community policing. You have to address 911, but you also have to address your walking beat and other things. Last year we went into a summer initiative, which we're going to do again this year, where we put in horses and bicycles. Our bicycle squad works year-round. They've got winter clothing for bike riding and all that. We put the bicycles, the horses, the motorcycles, the scooters and the walking police officers into neighborhoods, and you'd be amazed how well it works because you have kids from, let's say, a housing development and they never saw a horse officer before. Those kids are all over those horses. It's really good community relations. Usually your horses are assigned to downtown areas where there's a lot of traffic, or your parks or tourist spots, but we're putting them in neighborhoods.

LEN: Newark has the unusual arrangement of having both a Police Director and a Chief of Police. For the benefit of readers who might not be familiar with such a set-up, could you describe the relationship between the two positions and delineate the responsibilities of each?

CELESTER: The Chief of Police has the responsibility of running the day-to-day operation of the department. I have the responsibility of doing the administration of the department. Basically, all the snuff that happens every day — you know, the little stuff that has to come upstairs — it will usually go to the Chief. I'm usually setting policy and that type of thing. In Newark, we have a Chief of Police that is very attuned to what I'm doing, and we work very closely together on all aspects of what goes on in the Police Department. We're like one. I was here a year acting as the Chief and the Director. After a year, we appointed a Chief — my chief of staff. And anybody who knows will tell you that the Chief and I are the closest-working Director and Chief in the history of this department.

Hands-on oversight

LEN: In New Jersey, the Attorney General has more control over local policing than is the case in other states. What is the nature of his relationship with, not only with Newark, but with police departments generally throughout the state?

CELESTER: I can't talk about what his relationship is with other police departments. Basically, we deal more with the prosecutor who takes his orders from the Attorney General. Personally, I feel that the Attorney General should not have that power over police departments. Police departments and their leadership should be able to work independently and not be dictated to by an Attorney General. Unfortunately, that's the way it is here. We make the best of it. It hasn't been that bad; don't misunderstand me. The Attorney General really doesn't bother me that much. I just feel that the Attorney General or the prosecutor should not have that much control over a first-class city's police department. For instance, if we're doing an investigation, he can come and take over that investigation any time he wants. If we have a little girl raped by somebody, or somebody stalking the community and committing

insurance companies, and they donated certain things to this unit. Different insurance companies donated cars; they donated 10 cars of all shapes, sizes, models and makes. This unit is about 25 officers and superior officers.

LEN: Is it an undercover unit?

CELESTER: Yes. We got over \$500,000 worth of equipment donated from different companies and agencies. You see, we don't chase. The cars are used to be able to drive up into an area and the people that are in stolen cars or committing any crimes don't know that police officers are there. They don't expect to see a Cadillac with a police officer. In these cars we have cameras that were donated to us, and cellular telephones that were also donated. We can ride right upon a stolen car, and they don't even know that we're the police. That camera photographs the person driving the car, the time and date that the person is in the car, and the license plate of the car. So even if we cannot arrest him at that time, we have that proof that he was driving a stolen car at such-and-such a date and time. Then we can simply get a warrant and arrest him at his home. That cuts down a lot of chases and things like that. We also have what we call a paint gun, where we will pull up to a stolen auto before they know who we are, and we'll shoot a blotch of paint on that vehicle, and that vehicle can't go anywhere anymore, because wherever it goes, people are going to know that it's a stolen car. We've been getting calls from people all over the country who want to come look at the program. We even had — who?

COLLINS: We had Japan come down. Providence, Rhode Island, came in. We had an agency from Great Britain come in.

CELESTER: I think it's a model for the whole country, and we were able to do it without spending any funds from the Newark Police Department budget. All these insurance companies are willing to do whatever they can to help solve the auto-theft problem. We have

"Police departments should be able to work independently and not be dictated to by an Attorney General. Unfortunately, that's the way it is here. We make the best of it."

certain bank robberies, he can come in and say, "Give me so many people; I'm taking over this investigation." And you have nothing to say about the policing that goes on in your own city. That's not right; it's not supposed to be that way.

LEN: While you were in Boston, you worked in a high-crime area in the Roxbury section that had rather severe gang problems. Indeed, it has been reported that, as a youth, you were a leader of a gang yourself. How does that experience translate into Newark?

CELESTER: First of all, we don't have a gang problem in Newark. My experience translates as probably knowing what's in these kids' heads, knowing what is needed to solve the problems of these kids, and knowing that a lot of the problems going on in the streets today are not just police problems, but social problems. The reason we're not winning the war — against gangs or drugs or anything like that — is that we continue to look at it as a police problem, and the government continues to sell the public that it's a police problem, that the answer is stiffer sentences and all that. They don't talk about other social problems, or about family and prevention and treatment on demand and snuff like that. Those are the things that are going to help solve this problem, not just strong police action.

Auto-motives

LEN: Of late, Newark has had the dubious reputation of being the car-theft capital of the country. Last summer there were several instances of deadly force that were connected to this problem of stealing cars. What is the Police Department doing to combat this?

CELESTER: That was one of the first things that I attacked when I came here. What we've done is put together a unit called TARGET, and that means Tactical Auto Recovery Group and Enforcement Team. We knew that we couldn't do it alone. We knew that we were the car-theft capital of the country, but we also knew that in order to attack it, we needed the community's support. We also needed money that the city didn't have to attack this. So we founded the TARGET team, and what we did was go into a partnership with the companies in and around the Newark area. We went to different

also arrested murderers on sight — people who shout people right in front of these officers, not realizing they're cops. The Target team made an arrest of two guys holding up a bank. They were standing outside putting on the ski masks, and our officers were right at a stop sign. They never knew they were police officers. So this unit has gone far beyond any expectations that anybody had.

Helping hands

LEN: Do you anticipate that these insurance companies and whoever else will continue to support this in the future?

CELESTER: Yes, yes. But we've gone farther than that. I've just formed a partnership with the Downtown Renaissance Newark people, which is most of your larger businesses in Newark, where they will assist us in things that the city can't help us in. If there's certain things we need that the city can't afford at the time, they will help us get these things. For example, one of the things I want to do is upgrade our emergency unit. I don't like the idea of police officers from drug units or vice squads breaking down doors. I want a special unit that's trained to do that and has the equipment, so that in case somebody shoots through the door, they're not going to kill anybody. I want the capabilities of handling any emergency that could possibly come up in the city. I want them to be able to move on it, to have all these capabilities. We're going to look for these companies to help us do these things.

LEN: If this partnership succeeds, is there a risk that the city government will see it as a way of getting out of supplying the Police Department with certain things?

CELESTER: No, because I think that if the government ever tried it, big business and the public would jump all over them about it. Right now, we're looking for the government to get us more police officers. Private business can't do that; they're not made for that. So the government has its role and private business has its role. For instance, this might seem very radical, and I don't say it too much, but if I had my way, I would do away with parole and probation. I'd simply wipe them out because we spend billions of dollars in this country on probation, and it has not worked. We could take those

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Interview: Newark's William Celester

Continued from Page 7

millions or billions of dollars that we spend on probation and put it into social programs and agencies to deal with families and all that, instead of paying all these people to report to a monitor. It is proved that it has not worked. My philosophy is do away with it. Also, take all the money that we are spending outside the country to try and stop drugs from coming in and all that. That has not worked; more drugs are coming in now than ever. What we have to do is take the dollars that the Federal Government is spending on those programs and bring them into the country to deal with drug education and treatment on demand and things like that. I would change the whole focus of how we look at what we're doing, how we're spending our money.

Backwards thinking

LEN: Getting back to car theft for a moment, in an interview with one of your predecessors, he complained that those arrested for stealing cars, particularly the juveniles, were out on the street stealing more cars within hours after being arrested. Have the court system and the correctional system been cooperative in helping Newark with its car theft problems?

CELESTER: Well, I think they're being as helpful as they can be. We've got 700 beds in the entire state of Newark for juvenile offenders. Seven hundred beds — that is idiotic. So it's not that the judge might not want to sentence kids; it's that they have no place to send them. The state spends about 30 percent of its budget on juvenile offenders, and the rest on adult offenders. To me that seems backwards. I mean, the people that are committing adult crimes were juvenile offenders; that's where they started. So why are we spending our money on people who have already said, "This is a way of life for me, and I'm going to continue this life"? We should be spending that 70 percent on the juvenile offenders, and put the 30 percent on the adults. If we can turn around a lot of these young people before they become hard-core criminals, maybe we wouldn't have to have as many in jail as we have. Our thinking is backwards.

LEN: There was some talk last year about possibly having parents pay in these auto-theft situations where damage occurs, and making it a crime for an adult to use a juvenile to steal a car. Have any of those things come to pass?

CELESTER: Not yet. First of all, I've got mixed emotions about making the parents pay for what their children do. I would say that if it can be proven that if a parent is neglectful in the way they're raising their child, then they should be made to pay, made to suffer, along with their child. But if it's only parents that have just lost control of their kids; they have tried everything they can, and they tried to get help — there's a lot of single mothers with six-foot kids; how can you expect her to control those kids? So I've got mixed emotions about it. Again, I think that this is where we've fallen down. There has to be that immediate help for those parents that lose control of their kids, that still are trying to control them. So I would not be one of the ones who say charge that mother. But if there's a mother that's on drugs, a mother that does certain things and allows her kids to do certain things, or an adult that's in a stolen car with a kid or has a kid stealing cars for them or selling drugs for them, they should be prosecuted. I agree with that.

LEN: Is the car theft problem a joy-riding kind of thing — sort of a kid's rite of passage? Or is there an organized criminal element behind the stolen cars, stealing them as fodder for chop shops?

CELESTER: It's a little of both. I think there's a lot more joy riding

than there is organized crime. A lot of these kids just feel that this is how they can be recognized. The kids are doing doughnuts in the street because they want people to see them.

LEN: Doughnuts?

CELESTER: It's where they'll take a front-wheel-drive car — they can do it with any car, but they like to do it with front-wheel drive — and they'll turn the steering wheel all the way to the left or to the right and hold it there, and then step down on the gas to the floor. They're spinning, spinning, spinning, doing these doughnuts. A lot of times it gets out of control and people are killed. But it makes a lot of noise; people come and stand there and watch it. A lot of times they do it to get police attention. The police come, they take off and want to get into a car chase. But a lot of these kids are doing it just for recognition, and just for joy riding. We need to educate. If you go out and you rob somebody, or you steal a diamond ring worth a thousand dollars from somebody, you're charged with a felony. You can steal a \$45,000 car and you're charged with a misdemeanor.

LEN: Why is that?

CELESTER: Because that's the way the courts look on auto theft. There's just so much of it, and I think they're trying to protect a lot of the kids and not give them felony records. That's my opinion. I

spend money on the problem as long as it's a city problem and not a suburban problem. We will not get action on that until we come together, and I think that's part of the problem in every major state: the suburbs, the haves, versus the cities, the have-nots.

Car theft is declining in Newark — slightly, but it's declining. I attribute that to the TARGET team, and to the different measures, like the education and all the stuff we're doing with the public. I'll stick my neck out and say that you'll see it continue to decline. The amount of doughnuts that were done two years in the street — every day, as you probably heard, 20 or 30 cars or maybe more, were doing doughnuts. That's been cut in half.

LEN: That's an impressive-sounding figure. . . .

CELESTER: Yes. Right now, Newark averages about 800,000 calls a year to 911. There is no way that our Police Department can ever handle that many calls. And what happens is that when the police don't come, the public gets turned off to the Police Department. They'll say we don't care, when in fact they don't understand that we have to take the top priority calls, and some of the other calls might not get answered. So I think we have to change our focus on how we do business. In the 911 system, when somebody calls up, we have to tell them truth; we have to say, it's probably better if you report it to your local district, or the police will not be there right away, it might be some time before the police got there. We have to

"If you go out and rob somebody, or you steal a diamond ring, you're charged with a felony. Steal a \$45,000 car and you're charged with a misdemeanor."

don't know if that's actually the case. I think a lot of these kids have got to know the seriousness of stealing a car. Right now, it's not serious to them. But people are dying from it. And last year, the Newark Police Department arrested 2,000 people for auto theft. Not three of them went to jail.

LEN: Were there a lot of repeat offenders among those 2,000 arrestees?

CELESTER: Yes. We have recorded the 70 worst car thieves in the city of Newark — this task force, the prosecutor's office, my office and the sheriff's. We have tracked down the 70 kids that are creating the most car thefts. There are kids on that list that have been arrested 17 times and not gone to jail.

Nothing to laugh at

LEN: By now, the system must seem like a joke to them. . . .

CELESTER: Well, it is a joke. What they are doing now is riding up behind police cars and hitting them in the back so their air bags will go off. They're going up on sidewalks after walking police officers; it's a game to them.

LEN: One proposal called for boot-camp prisons designated specifically for those who steal cars. Has that happened or is it still on the drawing board?

CELESTER: The Legislature has failed to pass a boot camp law twice now. It's most of the suburban legislators that are voting against it. Most of them don't realize the problem or do not want to

tell them that, and not let the people think that because you dialed 911, there will be a police officer within the next two minutes.

We will take a stolen car report over the phone, but there's certain papers you have to have to show that your car is stolen. We like people to go to the precinct to report it, but basically, you can't inconvenience people like that. We're supposed to go out and serve them. So usually we will send a car, but like I said, it very seldom happens because it's a low priority. The crime has already been committed, nobody's been hurt, and we're getting calls from people being hurt. So it might be some time before you get a police car to come to your house and take the stolen auto report. . . .

COLLINS: The Director's auto-theft program also includes an educational component.

CELESTER: We designed an eight-week program where our TARGET team will go into the schools and teach a course against auto theft. It's a regular school session of 40 minutes for eight weeks, and the kids will get diplomas and everything at the end of that. It's like the DARE program.

LEN: What grade are you targeting?

CELESTER: We want to reach the younger people first, so we're going into anywhere from the fourth grade up.

Targets of opportunity

LEN: Like the DARE program, you have to do a longitudinal study to see how it's working, but what's your gut feeling on it so far?

CELESTER: I think it will work very well. I think you're going to get to these kids while they're young because more and more you're seeing younger people in these stolen cars. Another piece of it is community awareness. We are buying t-shirts, billboard advertisements, caps, and all that stuff to advertise against auto theft.

One of the things I do want to mention, though, is that not only do I blame the people that are stealing these cars, but I also put a lot of blame on the automakers because they refuse to make a car that is not easy to steal. We can send people to the moon, and we can do all kinds of stuff like that, but we can't build a car to stop a nine-year-old boy from stealing it. One of the reasons — and this is my opinion only — that the carmakers do not make a steal-proof car is because they make their money when a car is stolen. Usually when a car is stolen, there is damage to that car. It goes back to the dealer, and they make money on the repairs.

LEN: Or the victim may buy another one.

CELESTER: Right. So, it hurts the insurance companies, but the automakers, they make tons and tons of money out of it. I think that's one of the reasons why the automakers refuse to do it: because they're making too much money out of auto theft.

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Johnson:

Why L.A. went a day without a major crime

By Mark Johnson

The so-called Rodney King trial -- the Federal version -- has come and gone. We have since seen the face of law enforcement irrevocably changed. Whether the change was for the better has yet to be determined.

The City of Los Angeles, preparing for the worst, mounted extreme measures to protect the metropolis from a repeat of the 1992 riots. Shortly before the verdicts were handed down, the LAPD fielded 6,000-plus officers, or approximately 90 percent of the force. The results will have an everlasting and profound effect on scholars, liberals and followers of community-oriented policing. Los Angeles, a city that averages five (count

'em) homicides a day, went 24 hours without a major crime. Imagine, one day without a murder.

Already studies are beginning to determine how this magnificent event occurred. One theory holds that at least a partially favorable verdict contributed to the peace and calm throughout the city. (Where were the celebratory riots?) Another holds that intensive grass-roots efforts to reach out to those apt to riot made for cool nerves. What no one really wants to admit is that the massive police presence made the city quiet.

It is all too elementary. When enough cops are on the streets, the high visibility prevents things from happening. It's reminiscent of the old adage, "A cop on every corner." Enough beat cops equates to knowing your district and the people within, all because there are enough officers to handle the radio calls that prevent the police from making substantial citizen contacts. When calls for service were answered in Los Angeles during the riot alert, they were answered in a timely fashion. The police had the capability of arriving quickly, which resulted in their being able to prevent minor complaints from escalating into more serious incidents that the citizenry was accustomed to. In other words, the police were able to do their job.

The day after the glorious event, the media questioned LAPD Chief Willie Williams about the approximate date the expanded police presence would end. The Chief didn't elaborate, citing security reasons. The reporters should have asked why expanded patrols couldn't be kept up. Soon, of course, the police would have to return to normal day-to-day activities. That very day will mark the return of rampant crime rates -- and all because no one wants to talk about the cost of expanded police services.

Many who believe in community-oriented policing do so because it is seen as a program whereby criminality can be reduced through increased community support and assistance. For most jurisdictions, this equates to utilizing the community to do what paid, sworn police officers

used to do -- keep an eye on things. As Los Angeles has shown, albeit for just one week, community-oriented policing can work so long as there are enough patrol officers to promote the program. COP is embraced mainly as fiscal dilemmas are exposed in municipalities. In an age where police brutality has taken a spotlight, it is rhetoric to appease the masses.

When communities realize the true meaning of the right to life, liberty, and the pursuit of happiness, they will understand that there is a cost to

protecting those rights. To preserve those rights, we all must strive to the return of the "cop on every corner," the cop who is on a first-name basis with the citizens on his beat, and the cop who can deter crime, protect property, and preserve life.

(Mark Johnson is a member of the Sacramento, Calif., Police Department, where he serves as a crime scene investigator and field training officer. He previously spent four years with the San Diego Police Department.)

Penn:

Saying "enough" to urban violence in Connecticut

By Alvin W. Penn

For many years we have continued to debate the right to bear arms, and where to draw the line when these weapons endanger the lives of others. Yet while we are debating, others are dying on our streets, as rhetoric alone cannot shield them from bullets.

The statistics are alarming. In 1992, Bridgeport reported 63 homicides, most involving guns, and 600 gunshot wounds. So far this year, the homicide count has been nearly two people per week, with firearms used in most of these homicides.

What we desperately need is a way to make Bridgeport, and all Connecticut cities, safer. The once popular cheap handguns known as "Saturday Night Specials" are now being replaced with state-of-the-art weaponry able to penetrate the body armor worn by law enforcement officers. Criminals as young as 11 years old are arming

themselves with these weapons and are not afraid to use them.

Residents of Bridgeport and other crime-ridden cities in Connecticut have strongly protested the gun-related violence that has claimed the lives of their neighbors, friends and relatives. Their voices have not been ignored. The State Senate's Public Safety Committee, working in conjunction with mayors of Connecticut's largest cities and various law enforcement officers, has proposed legislation which will add tighter controls to the sale and possession of guns. Recently passed by the committee, the bill bans specific assault-style weapons.

Committee approval of this legislation is a very significant step. Never before has legislation to ban weapons in Connecticut ever passed the Public Safety Committee. Unfortunately, the bill still faces tough opposition as it continues through the legislative process. We must not lose sight of the important role this legislation plays in controlling violence in our streets. If we are truly serious about solving our urban crime problem, the General Assembly must pass the tough gun-control legislation proposed by the Public Safety Committee.

Opponents of gun control legislation have repeatedly stated, "Guns don't kill people, people do." What they fail to realize is that people have allowed these gun-related atrocities to occur by virtue of their opposition to tough gun legislation.

The weekly slaughter in our cities must end. In the United States more than 20,000 people die every year by gunfire. Under the Public Safety Committee's legislation, certain guns with no recreational or sporting value will be banned. Although this bill is not a panacea, it is a major part of the solution to making our cities safer. In addition, it opens the doors of communication about the realities of our cities and suburbs where atrocities are being committed.

We cannot unlock the full potential of our cities when they are plagued with gun-related violence. We must say "enough" to the violence in our streets and replace the fear in our cities with pride. Gun-related violence is not simply an urban problem. It is everyone's problem, and we must solve it together.

(Alvin W. Penn is a Connecticut state senator, representing the 23rd District (Bridgeport). He chairs the Senate's Public Safety Committee.)

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"As Los Angeles has shown, albeit for just one week, community-oriented policing can work so long as there are enough patrol officers to promote the program. In an age where police brutality has taken a spotlight, it is rhetoric to appease the masses."

Coming up in LEN:

Why are "so few" police agencies accredited?

Are law enforcement accreditation and community-oriented policing mutually incompatible?

A veteran police official and researcher examines a few "wrong-headed notions and new perspectives" about accreditation.

Also:

Restoring respect for the law, by adding some realism to U.S. drug policies. (It doesn't mean we have to be "soft on crime.")

Pepper spray spices use-of-force options

Continued from Page 1

does not give off secondary fumes that could affect officers and civilians standing nearby the suspect. It is also non-toxic, organic and many brands use pressurized nitrogen to propel the substance, instead of ozone-damaging fluorocarbon aerosol.

The Portland Police Department began issuing the spray to its officers last fall. Gauvin said the decision was a major step for the department, which

had banned the use of any chemical self-defense agents since the mid-1960's, after an officer was nearly blinded in an incident in which tear gas was used.

The department also conducted a detailed review of OC use, comparing the data with 388 use-of-force incidents and civilian complaints received from 1990 to 1992.

As of late April, 56 OC sprays of subjects were reported. Only three

subjects and six officers were injured in those incidents, yet all of them sustained their injuries before the officer decided to use OC. By comparison, during 1990-92, subjects sustained injuries in 69 percent of all force incidents, while officers were injured in 31 percent of the incidents.

The data show a decrease in subject injuries of 92 percent, and a 66-percent decline in officer injuries.

The department also discovered an

83-percent decline in complaints filed that stemmed from use-of-force incidents. Prior to the use of OC spray, 9 percent of the use-of-force incidents resulted in subjects filing excessive force complaints against officers. Only one subject filed an excessive-force complaint in any of the 56 incidents in which OC was used, and that complaint focused on other force the officer used prior to the use of the spray.

Portland police also reported that OC spray was effective in 87 percent of the 56 uses examined by the department. In cases where the spray was said to be ineffective, officers did not or could not allow enough time for the spray to take effect, and in some incidents, there were questions as to whether the spray hit the subject. In only two instances where the officer correctly used the spray did it not appear to affect the subject. Those two failures back up manufacturers' claims of a 96-percent effectiveness rate.

Portland officers reported an average distance of 5.1 feet between the officer and subject when the spray was used. Officers reported the spray was effective at a distance of up to 10 feet.

In nine incidents in which OC was not used, all of the subjects and two of the officers were injured. Two of the subjects filed complaints of excessive force.

The New Britain, Conn., Police Department, which has been using OC for about three years, discovered similar results. In its analysis of over 500 sprays, the department found that OC offered a 90 percent to 95 percent success rate. There were few if any injuries to suspects or police, and no excessive-

force lawsuits filed against the agency, Howard said.

"From everything we've seen in our studies, it has saved the suspects from injuries, it has saved the suspects from injuries, and it has cut down on liability suits," said Howard, who still trains officers in the use of OC spray on a contractual basis. "It's really saved the department a lot of money in the long run."

Proper training is the key to the effectiveness of OC spray, according to trainers interviewed by LEN. Portland officers now receive a three-hour block of instruction about the substance, said Gauvin. One rule of thumb, of course, is never to spray it in the wind. And officers are told to use it at a range of 3 to 12 feet. "We don't want them to spray any closer to three feet, because pressure from the canister can theoretically cause injury," Gauvin pointed out.

In a group deployment, one officer is designated as the sprayer. Officers are advised not to use the spray in situations where the suspect is offering passive resistance to be taken into custody. The officers are urged to use OC spray in cases where they are justified in hitting someone, Gauvin added.

Howard emphasized the importance of attempting to calm a subject once the spray has been used because subjects who have been sprayed initially exhibit a good deal of anxiety. "I think it's very important that the officers, when using this stuff, talk to the people after they've been sprayed because they get really fearful. I think the anxiety level will create more of a problem than the spray itself. So the officer should try to comfort that person as much as possible," he said.

For differing reasons, cities call on private security to handle police work

Continued from Page 3

year after Patrolman Michael Curcio and Police Chief Mark Van Engelen were indicted on drug-related misconduct charges. State troopers provided coverage for the town after the department's demise, and later, town officials simply decided that it was too costly to reinstate the force.

Zuidema said the town will spend \$48,000 for the security guards, compared to the \$200,000 annual expense for the Police Department. State Police will still provide additional coverage for the town and assistance to the guards, she added, as they did in the past for the Police Department.

State Police officials say they believe Sussex's action marks the first time a municipality in the state has contracted with a private firm to provide its own security force.

Unhappy Officials

The State Police Superintendent, Col. Justin J. Dintino, opposed the idea

when the town started accepting bids in April, and his stance "hasn't wavered," said State Police spokesman Trooper Al Della Fave. "In terms of services, the Colonel's position has always been that the citizens of New Jersey deserve the very best for their tax dollar, and he doesn't consider this to be the best proposition," Della Fave told LEN.

Nor is Milwaukee County Sheriff Richard Artison happy with a plan recently approved by the County Board of Supervisors to replace an eight-deputy, \$624,000-a-year Sheriff's Department Transit Unit with 14 unarmed private security guards.

Beginning July 1, the guards, supplied by the Wackenhut Corp., will ride county buses to keep an eye out for rowdy passengers and deter assaults on drivers. Equipped with two-way radios, they will contact authorities for assistance in whatever jurisdiction they are riding through, said Robert Murphy, a research analyst for the Board of Supervisors' mass transit committee.

When the plan was being debated earlier this year, Artison warned against the move, saying reports that more teenagers are arming themselves "cause me to reiterate my earlier position that the security problems [on the buses] are beyond the scope, capability and expectation of private security." (LEN, Feb. 28, 1993.)

Murphy said some supervisors supported the idea because the Transit Unit deputies usually responded after a crime had already been committed on buses and it was too costly — about \$50,000 per deputy — to routinely assign deputies to ride buses.

"Those officers were involved in other [duties] as well," he said. "So it wasn't what they considered a proactive service in the sense because they couldn't assign where those officers were going or where they anticipated problems."

The private security force will cost the county about the same as the Transit Unit, he added.

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JULY

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12-13. Executive/ VIP Protection. Presented by the Executive Protection Institute. Dallas.

12-15. Multicultural Diversity/Gangs. Presented by the Florida Crime Prevention Training Institute. Tampa, Fla. Fee: \$175.

12-16. International Forensic Photography Workshop. Presented by the Dade County Medical Examiner Department. Miami, Fla. Fee: \$695.

12-16. Hostage Negotiation. Presented by the Institute of Public Service. Atlanta. Fee: \$550.

12-16. Sniper I. Presented by the Institute of Public Service. Atlanta. Fee: \$655.

12-16. Annual Training Seminar for Law Enforcement Chaplains. Presented by the International Conference of Police Chaplains. Bismarck, N.D.

12-16. Electronic Tracking. Presented by the National Intelligence Academy. Fort Lauderdale, Fla. Fee: \$650.

12-16. Criminal Patrol Drug Enforcement. Presented by the Institute of Police Technology & Management. Jacksonville, Fla. Fee: \$425.

12-16. Symposium for the School Resource Officer. Presented by the Institute of Police Technology & Management. Jacksonville, Fla. Fee: \$425.

12-16. Interviews & Interrogations for Internal Affairs Officers. Presented by the Institute of Police Technology & Management. Jacksonville, Fla. Fee: \$425.

12-23. Traffic Accident Reconstruction. Presented by the Institute of Police Technology & Management. Jacksonville, Fla. Fee: \$595.

14-15. Confrontation: Violence in the Workplace. Presented by the Executive Protection Institute. Dallas.

14-16. Implementing & Using the FBI's National Incident-Based Reporting System (NIBRS). Presented by the JRSA National Computer Center. Washington, D.C. Fee: \$360/\$450.

16-17. Corporate Aviation Security. Presented by the Executive Protection Institute. Dallas.

18-22. Vehicular Homicide/DWI Conference. Presented by the Northwestern University Traffic Institute. Chicago. Fee: \$390.

19-21. Symposium on Drug & Alcohol Enforcement. Presented by the Institute of Police Technology & Management. Jacksonville, Fla. Fee: \$295.

19-22. Police Media Relations. Presented by the Institute of Police Technology & Management. Jacksonville, Fla. Fee: \$395.

19-22. Crisis Management for Security & Law Enforcement. Presented by the Institute of Public Service. Atlanta. Fee: \$400.

19-23. Investigation & Inspection of Commercial Vehicle Accidents. Presented by the Institute of Police Technology & Management. Phoenix. Fee: \$450.

19-23. Corrections Tactical Team Training. Presented by the Institute of Public Service. Atlanta. Fee: \$560.

19-23. Sniper II. Presented by the Institute of Public Service. Atlanta. Fee: \$675.

19-23. Technical Surveillance Countermeasures. Presented by the National Intelligence Academy. Fort Lauderdale, Fla. Fee: \$650.

21-23. Contemporary Homicide Investigation. Presented by the University of Delaware. Wilmington, Del. Fee: \$375.

26-27. Radio Dispatchers' Seminar. Presented by the University of Delaware. Brantree, Mass. Fee: \$275.

26-27. Economic Crime Investigation. Presented by the University of Delaware. Wilmington, Del. Fee: \$350.

26-30. Video Production. Presented by the National Intelligence Academy. Fort

Lauderdale, Fla. Fee: \$650.

26-Aug. 6. Instructor Development. Presented by the Institute of Police Technology & Management. Jacksonville, Fla. Fee: \$525.

28-29. Call-Taker Telephone Interview Techniques. Presented by the University of Delaware. Wilmington, Del. Fee: \$275.

30-31. Community-Based Approaches to Prevent Crime & Drug Abuse. Presented by the Florida Crime Prevention Training Institute. Fort Lauderdale, Fla. Fee: \$35.

AUGUST

2-3. Executive/VIP Protection. Presented by the Executive Protection Institute. Spokane, Wash.

2-3. Radio Dispatchers' Seminar. Presented by the University of Delaware. Wilmington, Del. Fee: \$375.

2-4. Security Management. Presented by the Northwestern University Traffic Institute. Evanston, Ill. Fee: \$450.

2-4. Tactical Team Operations Management. Presented by the Institute of Public Service. Atlanta. Fee: \$375.

2-6. Narcotic Identification & Investigation. Presented by the Institute of Police Technology & Management. Jacksonville, Fla. Fee: \$425.

2-6. Supervising School Resource Officer Programs. Presented by the Florida Crime Prevention Training Institute. Palm Beach Gardens, Fla.

2-6. Tactical Team Operations I. Presented by the Institute of Public Service. Atlanta. Fee: \$570.

2-6. Hostage Negotiations & Crisis Management. Presented by Rollins College. Orlando, Fla. Fee: \$275.

2-13. At-Scene Traffic Accident/Traffic Homicide Investigation. Presented by the Institute of Police Technology & Management. St. Petersburg, Fla. Fee: \$575.

4-6. Asset Tracing — Fraud/Financial Investigation Procedures. Presented by the Investigation Training Institute. Denver. Fee: \$575.

5. Hostage Survival. Presented by the Institute of Public Service. Atlanta. Fee: \$300.

9-10. Measuring Law Enforcement Productivity. Presented by the Northwestern University Traffic Institute. Evanston, Ill. Fee: \$225.

9-13. Basic Police Motorcycle Operation. Presented by the Northwestern University

Traffic Institute. To be held in Hobart, Ind. Fee: \$750.

9-13. Basic Technical Surveillance I. Presented by the National Intelligence Academy. To be held in Fort Lauderdale, Fla. Fee: \$650.

9-13. Investigation of Motorcycle Accidents. Presented by the Institute of Police Technology & Management. Jacksonville, Fla. Fee: \$425.

9-13. Undercover Drug Enforcement Techniques. Presented by the Institute of Police Technology & Management. Jacksonville, Fla. Fee: \$495.

9-13. Tactical Team Operations II. Presented by the Institute of Public Service. Atlanta. Fee: \$700.

10-12. Street Survival '93. Presented by Calibre Press. Hunt Valley, Md. Fee: \$159 (all three days); \$135 (first two days only), \$85 (third day only).

10-12. Asset Tracing — Fraud/Financial Investigation Procedures. Presented by the Investigation Training Institute. Detroit. Fee: \$575.

11-13. Excellence Through Leadership. Presented by the Northwestern University Traffic Institute. Evanston, Ill. Fee: \$350.

11-13. Police Stakeout & Surveillance Techniques. Presented by Rollins College. Orlando, Fla. Fee: \$250.

12-13. Investigative Auditing Procedures. Presented by the University of Delaware. Wilmington, Del. Fee: \$350.

16-17. Special Event Planning. Presented by the Northwestern University Traffic Institute. Evanston, Ill. Fee: \$200.

16-17. Police Use of Deadly Force. Presented by the University of Delaware. Wilmington, Del. Fee: \$300.

16-17. Call-Taker Telephone Interview Techniques. Presented by the University of Delaware. Houna, La.

16-18. Advanced Automated Crime Analysis. Presented by the JRSA National Computer Center. Washington, D.C. Fee: \$360/\$450.

16-18. Court Security/Witness Protection. Presented by the Institute of Public Service. Atlanta. Fee: \$540.

16-18. Contemporary Homicide Investigation. Presented by the University of Delaware. Wilmington, Del.

16-18. The Changing Face of Terrorism. Presented by the UIC Office of International Criminal Justice. Chicago.

16-20. Inspection & Investigation of

Commercial Vehicles. Presented by the Institute of Police Technology & Management. Jacksonville, Fla. Fee: \$450.

16-20. Police Traffic Radar Instructor. Presented by the Institute of Police Technology & Management. Jacksonville, Fla. Fee: \$425.

16-20. Practical Hostage Negotiation. Presented by the Institute of Police Technology & Management. Jacksonville, Fla. Fee: \$425.

16-20. Field Training Officers Program. Presented by the Northwestern University Traffic Institute. Evanston, Ill. Fee: \$500.

16-20. Advanced Technical Surveillance II. Presented by the National Intelligence Academy. Fort Lauderdale, Fla. Fee: \$650.

16-20. Tactical Team Operations III. Presented by the Institute of Public Service. Atlanta. Fee: \$875.

18-19. Intrusion Detection Systems. Presented by the University of Delaware. Wilmington, Del. Fee: \$385.

18-20. Disaster Planning. Presented by the Northwestern University Traffic Institute. Evanston, Ill. Fee: \$300.

18-20. The Citizen Review Board. Presented by Rollins College. Orlando, Fla. Fee: \$225.

19-20. Managing the Patrol Function. Presented by the University of Delaware. Wilmington, Del. Fee: \$340.

22-27. North American Victim Assistance Conference. Presented by the National Organization for Victim Assistance. Rochester, N.Y. Fee: \$225/\$275.

22-28. Certified Security Trainers Program. Presented by the Executive Protection Institute. Winchester, Va.

23-24. Supervisory Principles in Communication Centers. Presented by the University of Delaware. Wilmington, Del. Fee: \$275.

23-24. Tactical Policy Development for Executive & Command Personnel. Presented by Rollins College. Orlando, Fla. Fee: \$195.

23-25. Street Survival '93. Presented by Calibre Press. To be held in Portland, Ore. Fee: \$159 (all three days); \$135 (first two days only); \$85 (third day only).

23-25. National Conference on Community Policing for Safe Neighborhoods: Partnerships for the 21st Century. Presented by the National Institute of Justice. To be held in Crystal City, Va. Fee: \$100.

For further information:

(Addresses & phone/fax numbers for organizations listed in calendar of events.)

Barton County Community College, Attn: James J. Ness, Director, Administration of Justice Programs, R.R. 3, Box 136Z, Great Bend, KS 67530-9283. (316) 792-1243. Fax: (316) 792-8035.

Calibre Press, 666 Dundee Rd., Suite 1607, Northbrook, IL 60062-2727. (800) 323-0037.

Dade County Medical Examiner Department, Forensic Imaging Bureau, 1 Bob Hope Rd., Miami, FL 33136-1133. (305) 545-2469. Fax: (305) 545-2418.

Executive Protection Institute, Arcadia Manor, Rte 2, Box 3645, Berryville, VA 22611. (703) 955-1128.

Florida Crime Prevention Training Institute, Division of Victim Services & Criminal Justice Programs, PL-01, The Capitol, Tallahassee, FL 32399-1050. (904) 487-3712. Fax: (904) 487-1595.

Institute of Police Technology & Management, University of North Florida, 4567 St. Johns Bluff Rd. So., Jacksonville, FL 32216. (904) 646-2722.

International Conference of Police Chaplains, 101 Rainbow Dr., #82, Livingston, TX 77351. (409) 327-2332.

Investigation Training Institute, P.O. Box 669, Shelburne, VT 05482. (802) 985-9123.

JRSA National Computer Center, 444 N. Capitol St., Suite 44, Washington, DC 20001. (202) 624-8560. Fax: (202) 624-5269.

National Institute of Justice, c/o Lisa Cowan, Institute for Law & Justice, 1018 Duke St., Alexandria, VA 22314. (703) 684-5300. Fax: (703) 739-5533.

National Intelligence Academy, 1300 N.W. 62nd St., Fort Lauderdale, FL 33309. (305) 776-5500. Fax: (305) 776-5005.

National Organization for Victim Assistance, 1757 Park Rd., NW, Washington, DC 20010. (202) 232-6682. Fax: (202) 462-2255.

Northwestern University Traffic Institute, 555 Clark St., P.O. Box 1409, Evanston, IL 60204. 1-800-323-4011.

Performance Dimensions Inc., P.O. Box 502, Powers Lake, WI 53159-0502. (414) 279-3850. Fax: (414) 279-5758.

Police Executive Research Forum, 2300 M St., NW, Suite 910, Washington, DC 20037. (202) 466-7820. Fax: (202) 466-7826.

Rollins College, Public Safety Institute, 1000 Holt Ave., #2728, Winter Park, FL 32789-4499. (407) 647-6080. Fax: (407) 647-3828.

UIC Office of International Criminal Justice, University of Illinois-Chicago. (312) 996-5201. Fax: (312) 413-2713.

University of Delaware, Division of Continuing Education, Attn: Jacob Haber, 2800 Pennsylvania Ave., Wilmington, DE 19806. (302) 573-4487.

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May 15, 1993

Let us spray:

The effectiveness of pepper-based sprays — at subduing suspects, curbing injuries, and reducing use-of-force complaints — is making them an increasingly popular addition to police arsenals. **Page 1.**

Reaching out:

Police forge a promising tie to black youths in Dade County, Fla., through an unlikely vehicle: rap concerts. **Page 1.**



Tough enough:

Newark, N.J., is a tough city. Police Director William Celester is proving that he has the toughness — and sensitivity — to meet the city's challenges. **Interview, Page 6.**

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